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09/356,241 07/16/99 BATES

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EXAMINER

TM02/0406

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ART UNIT

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2172

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

09/356,241

Applicant(s)

BATES ET AL.

Examiner

Cam-Y Truong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-27, 38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 and 38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: .

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### DETAILED ACTION

1. Claims 1-27 and 38 are pending in this Office Action.

#### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-3, 5-16, 18-27, and 38 are rejected under 35 U.S.C. 102(e) as being anticipated by Shoham (USP5855015).

As to claims 1 and 14, Shoham teaches the claimed limitations:

“in response to a search request, generating a result set including identifications of a subset of a plurality of records in a database that match the search request” as the user enter a specific or general query at block 120, or select an information resource of interest to initialize the heuristics, the system will determine which information resources to present to the user (fig. 4, col. 8, lines 25-31);

“ordering the identifications of the records in the result set using a user feedback parameter associated with each record in the result set” as (col. 8, lines 5-20);

“for each of the plurality of records, selectively updating the user feedback parameter associated therewith in response to detecting multiple accesses thereto by a user” as (col. 12, lines 19-67).

As to claims 2 and 16, Shoham teaches the claimed limitation “a weight for the user feedback parameter associated with a first record in response to the number of times a user accesses the first record” as (col. 11, lines 1-20).

As to claims 3 and 15, Shoham teaches the claimed limitation “increasing a weight for the user feedback parameter associated with a first record in response to the first record being the most recently accessed record in the result set” as a best-first search was utilized, where the system accepts the user feedback such as a score or rating, for each information resource represented. The search heuristic evaluated a score for each page by taking the dot product  $V \cdot M$ , where  $V$  represents the page and  $M$  the current model. Each page  $V$  was viewed by the user and received an evaluation  $e_i$  (an integer in the range  $[-5, +5]$ , given this information the weights of  $M$  were updated. This is supplied the relevance feedback to the system (col. 12, lines 9-35; col. 4, lines 42-52).

As to claims 5 and 18, Shoham teaches the claimed limitation “increasing a first weight for the user feedback parameter associated with a first record in response to receipt of a search request matching a first keyword associated with the first weight” as (col. 11, lines 1-20).

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As to claims 6 and 19, Shoham teaches the claimed limitation “generating the result set includes accessing a search request data structure that includes a plurality of search request records, each including a search request parameter identifying a unique combination of keywords, and a result set parameter identifying a subset of records in the database that match the unique combination of keywords” as (fig. 1, col. 5, lines 62-67; col. 6, lines 13-20).

As to claims 7 and 20, Shoham teaches the claimed limitations

“partitioning the result set into a plurality of relevance groups, with each relevance group including identifications of records having like relevancies to the search request” as determining which information sources to present to the user. This information indicates partitioning or selecting relevance information, which matches to the user’s request (fig. 4, col. 8, lines 25-31);

“sorting the identifications or records within each relevance group according to the user feedback parameters associated therewith” as (col. 8, lines 14-20).

As to claims 8 and 21, Shoham teaches the claimed limitations

“each record in database includes a Uniform Resource Identifier (URL) that identifies a document stored on a computer network” as information sources are authored utilizing the HTML and the hyperlinks are defined utilizing Uniform Resource Locators (URL’s). Also HTTP is utilized to explore and retrieve the associated information resource specified by the URL (col. 6, lines 10-20);

“wherein selectively updating the user feedback parameter includes selectively updating the user feedback parameter associated with a first record in the database in response to detecting multiple accesses to the document stored at the URL associated with the first record” as (col. 12, lines 19-67).

As to claims 9 and 22, Shoham teaches the claimed limitation

“generating the result set includes generating at least one hypertext document including a plurality of hypertext links, each of which configured to access a document identified by a record in the result set” as (fig. 1, col. 5, lines 62-67; col. 6, lines 13-20).

As to claims 10 and 23, Shoham teaches the claimed limitations

“generating a script associated with at least one of the records in the result set” as using HTML to structure the information which associated with the results (col. 10, lines 24-37);

“the script configured to generate a notification that the associated record has been accessed by a user” (col. 10, lines 24-37);

“detecting multiple accesses to the document stored at the URL associated with the first record includes receiving the notification” as (col. 12, lines 19-67).

As to claims 11 and 24, Shoham teaches the claimed limitations:

“a memory within which is resident a plurality of records from a database, each record associated with a user feedback parameter” as in memory 82 stores information source which is associated with user feedback as shown in fig 4-5 (col. 7, lines 5-30);

“a first program, resident in the memory, the first program configured to, in response to a search request, generate a result set including identifications of a subset of the plurality of records that match the search request, and to order the identifications of the records in the result set using the user feedback parameter associated with each record in the result set” as (col. 8, lines 8-24). This information shows that it is obvious that there is a program to perform the system;

“a second program, resident in the memory, the second program configured to, for each of the plurality of records, selectively update the user feedback parameter associated therewith in response to multiple accesses thereto by a user” as (col. 12, lines 19-67).

As to claims 12 and 25, Shoham teaches the same claimed limitations as claim 11 except the claimed limitation “a signal bearing medium bearing the first and second programs” as it is obvious that there is a signal medium to synchronize between those programs.

As to claims 13 and 26, Shoham teaches the claimed limitation “the signal bearing medium includes at least one of a recordable medium” as the physical

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computer network which contains a hard disk (fig. 1, col. 6, lines 20-25), "a transmission type medium" as transmission Control Protocol/Internet Protocol) (col. 6, line 38-39).

As to claim 27, Shoham teaches the same claimed limitations as claims 1 and 2.

As to claim 38, Shoham teaches the same claimed limitations 1 and 6.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shoham in view of the publication, "Content-Based, Collaborative Recommendation," Marko Balabanovic and Yoav Shoham, Proceeding of the ACM March 1997, Communications of the ACM, Vol. 40, No. 3, or hereinafter "T2".

Shoham teaches the claimed limitations:

"a plurality of weights, each weight associated with a keyword in the associated record" as the search heuristic is a approach which is to extract fit number of keywords from each document; the user's interests were represented with keywords and associated weight (col. 11, lines 16-20). Shoham does not teach the claimed limitation "ordering the records in the result set using the user feedback parameter associated with each record in the result set includes ordering the records using any weight

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associated with a keyword matching the search request". However, T2 teaches (page 6, col. Right, lines 22-48). Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to apply the teaching of the results of the user's rankings of the pages from the four sources to shoham's system in order to prove consistent over long periods of time, both for a given user and between users (page. 5, col. Left, lines 53-57).

### *Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Christianson et al (USP 6085186)

### *Contact Information*

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam-Y Truong whose telephone number is (703-605-1169). The examiner can normally be reached on Mon-Fri from 8:00AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu, can be reached on (703-305-4393). The fax phone numbers for the organization where this application or proceeding is assigned is (703-308-9051).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).


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April 3, 2001

  
HOSAIN T. ALAM  
PRIMARY EXAMINER